

1
2
3
4
5
6
7
8
9 **UNITED STATES BANKRUPTCY COURT**
10 **EASTERN DISTRICT OF WASHINGTON**

11 In re:

12 GIGA WATT, Inc., a Washington
13 corporation,

14 Debtor.

Case No. 18-03197

The Honorable Frederick P. Corbit

Chapter 11

**ORDER GRANTING CHAPTER 11
TRUSTEE'S MOTION FOR ORDER
APPROVING MOSES LAKE
THREE-WAY AGREEMENT**

16 This matter came before this Court on the Chapter 11 Trustee's *Motion for*
17 *Order Approving Moses Lake Three-Way Agreement* (the "Motion")¹ filed by
18 Mark D. Waldron, in his capacity as the duly-appointed Chapter 11 Trustee (the
19 "Trustee") in the above-captioned bankruptcy case of Giga Watt Inc.

20 The Court having reviewed the Motion, the Memorandum of Points and
21 Authorities in Support of the Motion, the Declaration of Mark D. Waldron in
22 _____

23 ¹ Unless otherwise defined herein, capitalized terms used in this Order have the
meanings ascribed to them in the Motion.

1 Support of the Motion, the Moses Lake Three-Way Agreement (as defined in the
2 Motion) and the Court finding that (1) the settlement as set forth in the Moses
3 Lake Three-Way Agreement is fair, reasonable and adequate, (2) good cause
4 exists to approve the Motion, (3) the decision to enter into the Moses Lake Three-
5 Way Agreement is supported by sound business reasons and is a proper exercise
6 of the Trustee's business judgment, and (4) notice of the Motion and hearing were
7 sufficient, proper and adequate;

8 **IT IS HEREBY ORDERED** as follows:

- 9 1. The Motion is GRANTED in its entirety.
- 10 2. The Moses Lake Three-Way Agreement and the settlement contained
11 therein are approved;
- 12 3. The Trustee is authorized to enter into the Moses Lake Three-Way
13 Agreement, substantially in the form attached as Exhibit B to the Motion; and

14 *[This Order continues on the next page.]*
15
16
17
18
19
20
21
22
23

1 4. The agreement to extend the Trustee's deadline to assume or reject
2 the Moses Lake Leases is approved and, to the extent an Order is necessary, the
3 Trustee's deadline to assume or reject the Moses Lake Leases is extended to May
4 19, 2019.

5 /// END OF ORDER ///

6 Presented by:

7 CKR LAW LLP

8
9 /s/ Pamela M. Egan

10 Pamela M. Egan (WSBA 54736)

11 506 2nd Avenue, 14th floor

12 Seattle, WA 98114

13 Tel.: 415-297-0132

14 E: pegan@ckrlaw.com

15
16 Of attorneys for Mark Waldron in his capacity
17 as the duly-appointed Chapter 11 Trustee
18
19
20
21
22
23